



FOOD SAFETY FACT SHEET

Kansas Department of Agriculture • Division of Food Safety and Lodging
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Farm Winery Licensing

Overview

Farm wineries are licensed by the director of Alcoholic Beverage Control under the Liquor Control Act to manufacture, store and sell their domestic table and fortified wines. Farm wineries and farm winery outlets may produce no more than 100,000 gallons of domestic wine per year.

The Kansas Department of Revenue's Alcoholic Beverage Control Division is the regulatory authority for enforcing Kansas liquor laws. For more information about Alcoholic Beverage Control and farm wineries, visit www.ksrevenue.org/abcfarmwine.htm.

The Kansas Department of Agriculture promotes public safety by regulating the production and sale of food products in Kansas, including wines. The Food Safety and Lodging program issues seven license types to food businesses under the Kansas Food, Drug and Cosmetic Act and the Kansas Food Service and Lodging Act.

Food is defined in the Food Service and Lodging Act as any raw, cooked or processed edible substance, beverage or ingredient used or intended for use or for sale, in whole or in part, for human consumption.

The license types generally issued for farm wineries are for a food processing plant, a retail food store and a food service establishment. A business may be required to have more than one license.

At a farm winery, Kansas Department of Agriculture food safety inspectors evaluate the facility, its equipment and utensils, processes and controls, and sanitary operations.

Food Processing Plant

A food processor manufactures packages, labels or stores food for human consumption, but does not provide food directly to the consumer. If a farm winery is selling wine to a retail liquor store or restaurant, a food processing license is required.

Retail Food Store

A retail food store offers food items to consumers for consumption off premises. If pop, gum, cheese, crackers, potato chips or other similar food items are sold at a farm winery, a retail food store license may be needed.

Food Service Establishment

A food service establishment prepares or offers food for immediate consumption. A farm winery with a catering business must have a food service establishment license.

Frequently Asked Questions

Do I need a license from the Kansas Department of Agriculture if my operation consists of making wine and selling it myself? I do not sell the wine wholesale, nor do I sell other food products.

The Kansas Department of Agriculture does not require a license for these operations. However, your facility is still subject to inspection under the Kansas Food, Drug and Cosmetic Act and the Food Service and Lodging Act as wine is a food.

What if my winery is successful and I want to sell it wholesale to other retailers?

You must obtain a food processing plant license to sell your product wholesale.

What if I would like to expand my retail store to include foods other than wine I produce?

You must obtain a retail food store license to sell food items.